

McCleary: State Supreme Court wants speedier action on school funding

By JORDAN SCHRADER

Staff writer

January 9, 2014 Updated 14 hours ago

The News Tribune



Washington Supreme Court Chief Justice Barbara Madsen

SUPREME COURT

Washington state lawmakers need to move faster to meet a court order to fund schools, the state Supreme Court ruled Thursday.

[The court said](#) the Legislature took "meaningful steps" last year but is "not on target" to implement the key funding promises it has made in earlier years.

The Supreme Court is following up on its ruling that the state has not met its constitutional obligation to fully fund basic education.

Coming four days before the Legislature begins its 2014 session, [the court's latest order](#) responds to the work lawmakers did in 2013, when they budgeted an extra \$1 billion for basic education.

But that fell short in most categories of recommendations by a task force, the court noted. Eight of nine justices signed the order, calling for lawmakers to write a complete plan by April for phasing in billions of dollars of extra funding by 2018.

It's clear that "the pace of progress must quicken," the court wrote.

"We have no wish to be forced into entering specific funding directives to the State, or, as some high courts have done, holding the legislature in contempt of court," the court said, hinting at possible ways it could step up pressure on lawmakers. "But, it is incumbent upon the state to

demonstrate, through immediate, concrete action, that it is making real and measurable progress, not simply promises.”

The court said the 2013 funding amounted to just a 6.7 percent increase over what would have been spent with no changes.

And the court majority called it “deeply troubling” that the Legislature’s report evaluating its own progress didn’t address state funding for teacher and administrator salaries. Educators haven’t received a raise or cost-of-living increase from the state since the Great Recession hit.

Lawmakers also didn’t take into account the cost of building more facilities to house the extra classrooms needed for the Legislature’s all-day kindergarten and class-size reduction goals, the court wrote.

Failing to act in the 2014 session would send a message about the Legislature’s commitment, the court wrote, noting that Superintendent of Public Instruction Randy Dorn has called for an extra \$461 million for basic education during this session.

In a news conference Thursday, Dorn said he agrees with the Supreme Court that the Legislature needs to do more to meet the demands of the McCleary decision. Last year’s progress was by no means adequate, he told reporters.

“It’s basically you’re starting your car, warming it up in a deep freeze, but you’ve not got on the road to really making it all happen,” Dorn said.

Dorn said he plans to seek legislation that would raise the state sales tax by 1 percent and increase the state property tax rate starting in 2018, but only if the Legislature fails to come up with a funding solution that pleases the Supreme Court. He compared his proposal with the deadlines set by the federal sequester, saying such a plan could pressure the Legislature to take swift action.

But lawmakers haven’t been gearing up for major adjustments to their budget in this 60-day, election-year session. Although there’s no budget shortfall, there’s also little extra money, and raising taxes is likely to be a political nonstarter.

Sen. David Frockt, D-Seattle, a member of the legislative committee that has been submitting the reports to the court, said that the ruling made clear that the upcoming session is going “to be about coming up with a clear plan to implement McCleary’s basic education funding requirements.”

“The court is giving us one more shot to come up with a plan,” he said. “It’s going to have to be a historic solution and a historic compromise, probably. If we don’t, we’re really risking a constitutional crisis.”

Senate Education Committee Chairman Sen. Steve Litzow, R-Mercer Island, said that there wasn't anything surprising in the court's opinion other than the April 30 deadline for the Legislature to submit a plan.

"It's a week before session and trying to get 147 legislators to agree on what we're going to do in the 60 days is a challenge, much less what we're going to do in the next four years," he said, but stressed that lawmakers want to move forward with addressing the funding requirements.

Staff writer Melissa Santos and The Associated Press contributed to this report.

Jordan Schrader: 360-786-1826

blog.thenewstribune.com/politics

jordan.schrader@thenewstribune.com

[@Jordan_Schrader](#)

Read more here: <http://www.thenewstribune.com/2014/01/09/2985505/mccleary-state-supreme-court-wants.html#storylink=cpy>